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Attorneys for Defendant  
Mr. Garcia

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Case No. 2:23CR228-DJC  
Plaintiff, )  
vs. ) **STIPULATION AND ORDER TO CONTINUE  
STATUS HEARING AND EXCLUDE TIME**  
EDGAR ENRIQUE GARCIA- ) Date: January 25, 2024  
LOPEZ, ) Time: 9:00 a.m.  
Defendant. ) Judge: Daniel J. Calabretta

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Alstyn Bennett, counsel for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Edgar Enrique Garcia-Lopez, that the previously scheduled Status Hearing set for January 25, 2024 be continued to March 7, 2024 at 9:00 a.m.

The parties specifically stipulate as follows:

1. The government filed an indictment on September 14, 2024. ECF no. 15. A little more than three months ago, Mr. Garcia last appeared before this Court on October 5, 2023. ECF no. 19.
2. By previous order, the Status Hearing is currently scheduled for January 25, 2024 at 9:00 a.m. Time has been ordered excluded through that date.

3. Mr. Garcia respectfully requests that the Court continue the Status Hearing to  
4. March 7, 2024 at 9:00 a.m.
5. The government has produced 596 pages and 82 audio/video recordings of  
6. discovery.
7. Compelling circumstances exist to grant Mr. Garcia's request. First, defense  
8. counsel is actively reviewing discovery in this case. Second, the potential  
9. consequences for Mr. Garcia, if convicted, are serious. He faces a ten-year  
10. minimum mandatory custodial sentence and potential deportation. Third, Mr.  
11. Garcia has been actively litigating bail issues. He most recently had a bail review  
12. hearing on December 22, 2023. ECF no. 32. A briefing scheduled is set for a  
13. motion to revoke / appeal the Magistrate's denial of that motion. ECF no. 37.  
14. His motion is due to be filed no later than January 29, 2024. *Id.* Fourth, defense  
15. counsel has been in active litigation in several other cases that have required his  
16. more immediate attention. In the last two months, defense has filed time-  
17. intensive, substantive motions in two other cases.
18. 6. In this case, Mr. Garcia requires additional time to review the discovery;  
19. investigate and research possible defenses; research potential pretrial motions;  
20. explore potential resolutions to the case; and otherwise prepare for trial.
21. 7. Mr. Garcia believes that failure to grant his motion would deny him the  
22. reasonable time necessary for effective preparation, taking into account the  
23. exercise of due diligence.
24. 8. The government does not object to Mr. Garcia's motion.
25. 9. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial  
26. Act), the parties request that the time period between January 25, 2024 and March  
27. 7, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance  
granted by the Court at the defense's request, based on a finding that the ends of

1 justice served by granting the continuance outweighs the best interest of the  
2 public and Mr. Garcia in a speedy trial.  
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5 Respectfully submitted,  
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7 HEATHER E. WILLIAMS  
Federal Defender  
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10 Date: January 18, 2024  
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*/s/ Hootan Baigmohammadi*  
HOOTAN BAIGMOHAMMADI  
Assistant Federal Defender  
Attorneys for Defendant  
Mr. Garcia  
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15 Date: January 18, 2024  
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PHILLIP A. TALBERT  
United States Attorney  
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*/s/ Alstyn Bennett*  
ALSTYN BENNETT  
Assistant United States Attorney  
Attorneys for Plaintiff  
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## ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: January 19, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE